

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JIANHUI HU et al.,

Plaintiffs,

17cv10161 (JGK)

- against -

WILD GINGER INC. et al.

MEMORANDUM OPINION &
ORDER

Defendants.

JOHN G. KOELTL, District Judge:

The plaintiffs' request for an extension of time to object to Magistrate Judge Fox's Report and Recommendation to April 21, 2020 is **granted**.

The plaintiffs also request an opportunity to supplement the inquest records to cure deficiencies made in their submissions to Judge Fox. Absent "compelling justification," a party objecting to a magistrate judge's Report and Recommendation generally may not present evidence to the district court not previously presented to the magistrate judge.

See New York City Dist. Council of Carpenters Pension Fund v. Forde, 341 F. Supp. 3d 334, 338 (S.D.N.Y. 2018) (collecting cases). The plaintiffs have failed to articulate any "compelling justification" for their failure to present the evidence to Judge Fox that they now seek to present to this Court in objecting to Judge Fox's Report and Recommendation. Moreover, the inquest hearing before Judge Fox took place on January 14,

2020. See Dkt. No. 84, at 2. January 14, 2020 was well before the COVID-19 pandemic had broken out in New York City, and therefore that pandemic, which the plaintiffs refer to in their letter request to the Court, could not constitute "compelling justification" for the plaintiffs' failure to present all necessary evidence to Judge Fox in connection with the inquest hearing. Therefore, the plaintiffs' request to supplement the inquest records to cure deficiencies in its prior submissions is **denied.**

SO ORDERED.

**Dated: New York, New York
April 2, 2020**

/s/ John G. Koeltl

**John G. Koeltl
United States District Judge**